

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

|                                      |   |   |
|--------------------------------------|---|---|
| <b>In re:</b>                        | ) |   |
|                                      | ) |   |
| <b>SUBPOENA TO TESTIFY AT A</b>      | ) |   |
| <b>DEPOSITION IN A CIVIL ACTION</b>  | ) |   |
| <b>ISSUED TO THOMAS JEFFERSON</b>    | ) | <b>MISC NO. _____</b>                       |
| <b>HIGH SCHOOL FOR SCIENCE &amp;</b> | ) |   |
| <b>TECHNOLOGY</b>                    | ) | <b>(D. Mass. Case No 1:14-cv-14176-ADB)</b> |

**MOTION OF NON-PARTY THOMAS JEFFERSON HIGH  
SCHOOL FOR SCIENCE & TECHNOLOGY TO QUASH SUBPOENA**

Pursuant to Rule 45(d)(3)(A) of the Federal Rules of Civil Procedure, the Fairfax County School Board (“FCSB”) moves to quash the subpoena served by Students for Fair Admissions, Inc. (“SFFA”) on non-party Thomas Jefferson High School for Science & Technology (“Thomas Jefferson High School”). SFFA is the plaintiff in a matter currently pending in the United States District Court for the District of Massachusetts captioned *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College (Harvard Corporation)*, Civil Action No. 1:14-cv-14176-ADB. SFFA served a subpoena on Thomas Jefferson High School on February 27, 2017 compelling Thomas Jefferson High School to designate a 30(b)(6) representative to appear and give testimony at a deposition, and seeking production of documents. Thomas Jefferson High School is a public high school located in Fairfax County, Virginia and is operated by the FCSB. The subpoena places an undue burden on Thomas Jefferson High School and the FCSB, which are not parties to the lawsuit, by requesting irrelevant information that SFFA can obtain from other sources. For the reasons explained in the accompanying brief, SFFA has no legitimate basis for obtaining deposition testimony or documents from Thomas Jefferson High School or

any of its employees. Accordingly, Thomas Jefferson High School respectfully requests that this Court quash SFFA's subpoena.

Prior to filing this motion and consistent with Local Civil Rule 37(E), counsel for FCSB spoke with counsel for SFFA on March 22, 2017 in a good faith attempt to resolve this matter without court intervention, but was unable to do so.

Date: March 23, 2017

Respectfully Submitted,

HOGAN LOVELLS US LLP

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*Counsel for the Fairfax County School  
Board on behalf of Thomas Jefferson High  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 23rd day of March, 2017, a true copy of the foregoing was sent via first class mail, postage prepaid, and e-mail to the following:

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